

031104

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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE17510 U.S. PTO  
10/799038

031104

**UTILITY PATENT APPLICATION  
TRANSMITTAL LETTER  
UNDER 37 C.F.R. 1.53(b)**

11411/11502

## Address to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Transmitted herewith for filing is the patent application of:

Inventor(s): **Paul T. GARDINER et al.**

For: **FOOD SUPPLEMENT FOR INCREASING LEAN MASS AND  
STRENGTH**

## Enclosed are:

1. 13 sheets of specification 7 sheets of claims, and 1 sheet of abstract.
2. Declaration and Power of Attorney (copy from prior application (37 CFR 1.63(d) (See 4 below).
3. Power of Attorney By Assignee Of Entire Interest (Revocation of Prior Powers and Appointment of New Power, including Certificate Under 37 CFR 3.73(b) (copies from prior application).
4. Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 2 above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
5. Also enclosed:  
Preliminary Amendment  
Return Receipt postcard
6. Continuing application information:

This application is a divisional of U.S. Patent Application Serial No.  
09/482,688 filed January 12, 2000, which is a continuation-in-part of Patent  
Application No. 09/420,439 (now abandoned) filed on October 18, 1999.

7. The filing fee has been calculated as shown below, after entry of the accompanying Preliminary Amendment

	NUMBER FILED	NUMBER EXTRA*	RATE (\$)	FEE (\$)
BASIC FEE				770.00
TOTAL CLAIMS	1 57	0	18.00	
INDEPENDENT CLAIMS	1 - 3=	0	86.00	
MULTIPLE DEPENDENT CLAIM PRESENT				290.00
*Number extra must be zero or larger			TOTAL	
If the applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL	385.00

8. Please charge the required application filing fee of **\$385.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
9. The Commissioner is hereby authorized to charge payment of the following fees, associated with this communication or arising during the pendency of this application, or to credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
- A. Any additional filing fees required under 37 C.F.R. § 1.16;
  - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
  - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
  - D. Any additional document supply fees under 37 C.F.R. § 1.19;
  - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
  - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.
10. A duplicate copy of this sheet is enclosed.

Dated: March 11, 2004

By: 

John F. Resek (Reg. No. 52,162)

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